

SENATE BILL 1707  
By Norris

AN ACT to amend Tennessee Code Annotated, Section 55-10-406, relative to liability of health care professionals and their employers when taking blood of suspect in criminal offenses involving a motor vehicle.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-406, is amended by designating the existing language of subsection (d) as (d)(1) and by adding the following new (d)(2):

(2) Any physician, registered nurse, licensed practical nurse, clinical laboratory technician, licensed paramedic, licensed emergency medical technician approved to establish intravenous catheters, technologist, or certified and/or nationally registered phlebotomist who, acting at the written request of a law enforcement officer, withdraws blood from a person pursuant to this subsection, with or without the person's consent or while the person is unconscious, for the purpose of lawfully obtaining blood, shall not incur any civil or criminal liability as a result of the withdrawing of such blood, except for any damages that may result from the negligence of the person so withdrawing. Neither shall the hospital nor other employer of the previously listed health care professionals incur, except for negligence, any civil or criminal liability as a result of the act of withdrawing blood from any person.

SECTION 2. This act shall take effect January 1, 2006, the public welfare requiring it.